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82095AWRZ  
Customer No. 01333

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

David L. Jeanmaire

A CONTINUOUS INK-JET PRINTING  
APPARATUS WITH INTEGRAL  
CLEANING

Serial No. 10/606,106

Filed 25 June 2003

Group Art Unit: 2853

Confirmation: 4204

Allowed: 03 February 2004

Examiner: Matthew L. Rosendale

I hereby certify that this correspondence is being  
deposited today with the United States Postal  
Service as first class mail in an envelope addressed  
to Commissioner For Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

Tracey Thomas

Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

**ATTN: MAILSTOP ISSUE FEE**

Sir:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**UNDER 37 C.F.R. 1.181(a)**

In response to the Notice of Abandonment mailed September 1, 2004, for which the two month time period to respond extends to November 1, 2004, Applicant requests reconsideration and withdrawal of the Notice of Abandonment.

The holding of abandonment is based on an allegation that Applicant failed to properly reply to an Office letter mailed on April 23, 2004. A reply including drawings was received on May 26, 2004, but it did not constitute a proper reply because Figure 6, although cited in the Brief Description of the Drawings, was not included in the reply. Applicant respectfully disagrees with this allegation.

Applicant responded to the Notice of Drawing Inconsistency with Specification, mailed April 23, 2004. Five (5) sheets of formal drawings

depicting Figures 1-6 and a postcard accompanied the Response to the Notice of Drawing Inconsistency with Specification. The Response included and executed certificate of mailing dated May 21, 2004. The postcard was date stamped May 26, 2004, by the Office of Initial Patent Examination at the U.S. Patent and Trademark Office and returned to Applicant. As such, Applicant submits that the requirement detailed in the Notice of Drawing Inconsistency with Specification was satisfied when the Response to the Notice of Drawing Inconsistency with Specification and the 5 sheets of formal drawings depicting Figures 1-6 were deposited with the U.S. Postal Service on May 21, 2004, which was within the one (1) month time period to reply as set in the Notice of Drawing Inconsistency with Specification.

Applicant is including with this petition copies of the following items:


1. The Notice of Drawing Inconsistency with Specification, mailed April 23, 2004 (2 pages);
2. The Response to the Notice of Drawing Inconsistency with Specification and the 5 sheets of formal drawings depicting Figures 1-6 having an executed Certificate of Mailing dated May 21, 2004 (6 pages);
3. A copy of the postcard included with the Response to the Notice of Drawing Inconsistency with Specification (1 page); and
4. A copy of the postcard included with the Letter to the Official Draftsperson date stamped May 26, 2004, and returned by the Office (1 page).

As Figure 6 was timely filed as required by, and within the 1 month period set in, the Notice of Drawing Inconsistency with Specification, Applicant respectfully requests that the holding of abandonment be withdrawn.

Although, the undersigned does not believe that a Petition to Revive is required in this situation, it is requested that this letter be considered as a Petition to Revive, in the event the Petition to Withdraw Holding of Abandonment is denied.

In this respect, Applicant submits that the entire delay in filing the required reply from the due date for the reply until the filing of a petition was unintentional. The Commissioner is authorized to charge any fees associated with this Petition to deposit account number 05-0225 (a duplicate copy of this letter is enclosed). Applicant also requests that the Response to the Notice of Drawing Inconsistency with Specification and the 5 sheets of formal drawings depicting Figures 1-6 attached to this petition be used as the reply required in response to the Notice of Abandonment.

Respectfully submitted,

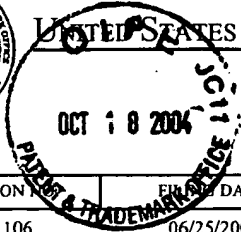
  
Attorney for Applicants  
Registration No. 45,287

William R. Zimmerli/tt  
Rochester, NY 14650  
Telephone: (585) 588-2758  
Facsimile: (585) 477-1148

enclosures: Four (4) items as listed above



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,106	06/25/2003	David L. Jeanmaire	82095AWRZ	4204

7590 04/23/2004

Milton S. Sales, Patent Legal Staff  
Eastman Kodak Company  
343 State Street  
Rochester, NY 14650-2201

EASTMAN KODAK CO.

APR 27 2004

PATENT LEGAL STAFF

EXAMINER	
MOUTTET, BLAISE L	
ART UNIT	PAPER NUMBER
2853	

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Entered by LMK



10/606/106

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

**NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION**

The drawings filed 6/25/03 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures 6 are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures \_\_\_\_\_ are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in **abandonment** of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

**Return Corrected Drawings/Specification to:**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450

Alexandria, VA 22313-1450

Office of Patent Publication/Publishing Division  
Customer Service: 703-308-6789  
1-888-786-0101



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Serial No. 10/606,106

Filed 25 June 2003

Group Art Unit: 2853

Confirmation: 4204

Allowed: 03 February 2004

Examiner: Blaise L. Mouttet

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Tracey Thomas

May 21, 2004

Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH  
SPECIFICATION**

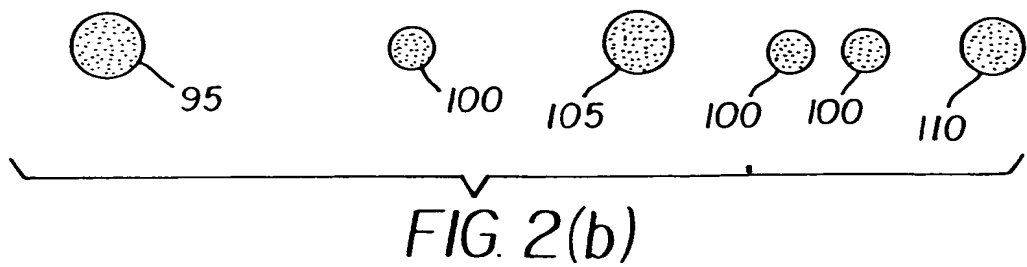
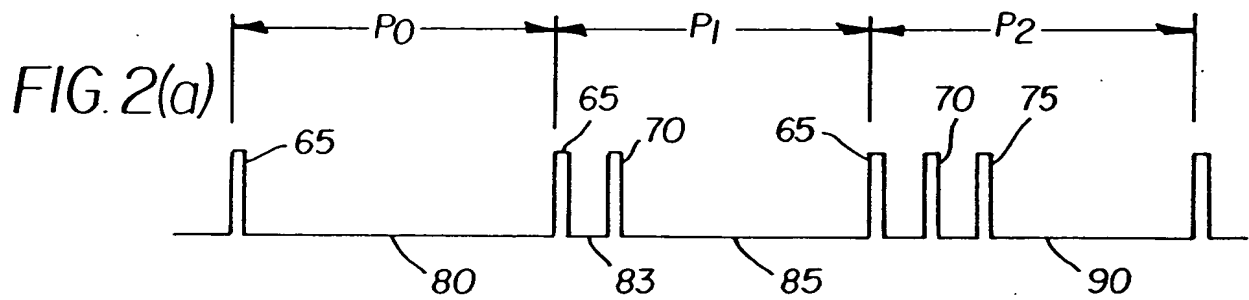
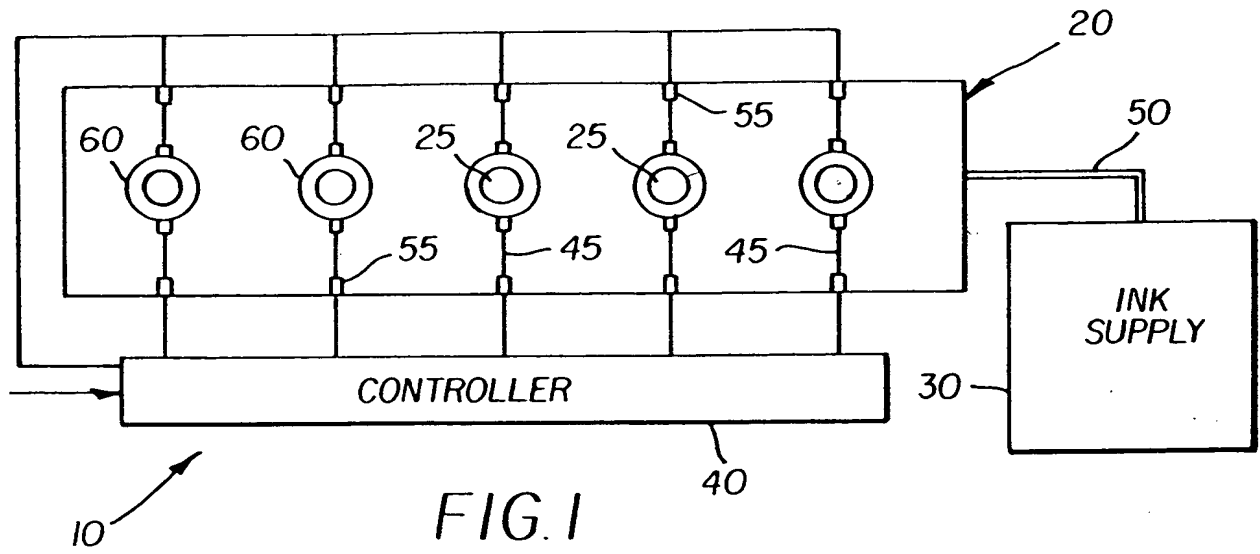
Enclosed are 5 sheets of formal drawings depicting Figure(s) 1-6. Please substitute these drawings for those currently on file in the subject application. These drawings correct the inconsistency of the drawings, when compared with the Brief Description of The Drawings noted in the Notice of Drawing Inconsistency With Specification, dated April 23, 2004.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225. **A duplicate copy of this letter is enclosed.**

Respectfully submitted,

Attorney for Applicant(s)  
Registration No. 45,287

William R. Zimmerli/tt  
Telephone: 585-588-2758  
Facsimile: 585-477-1148



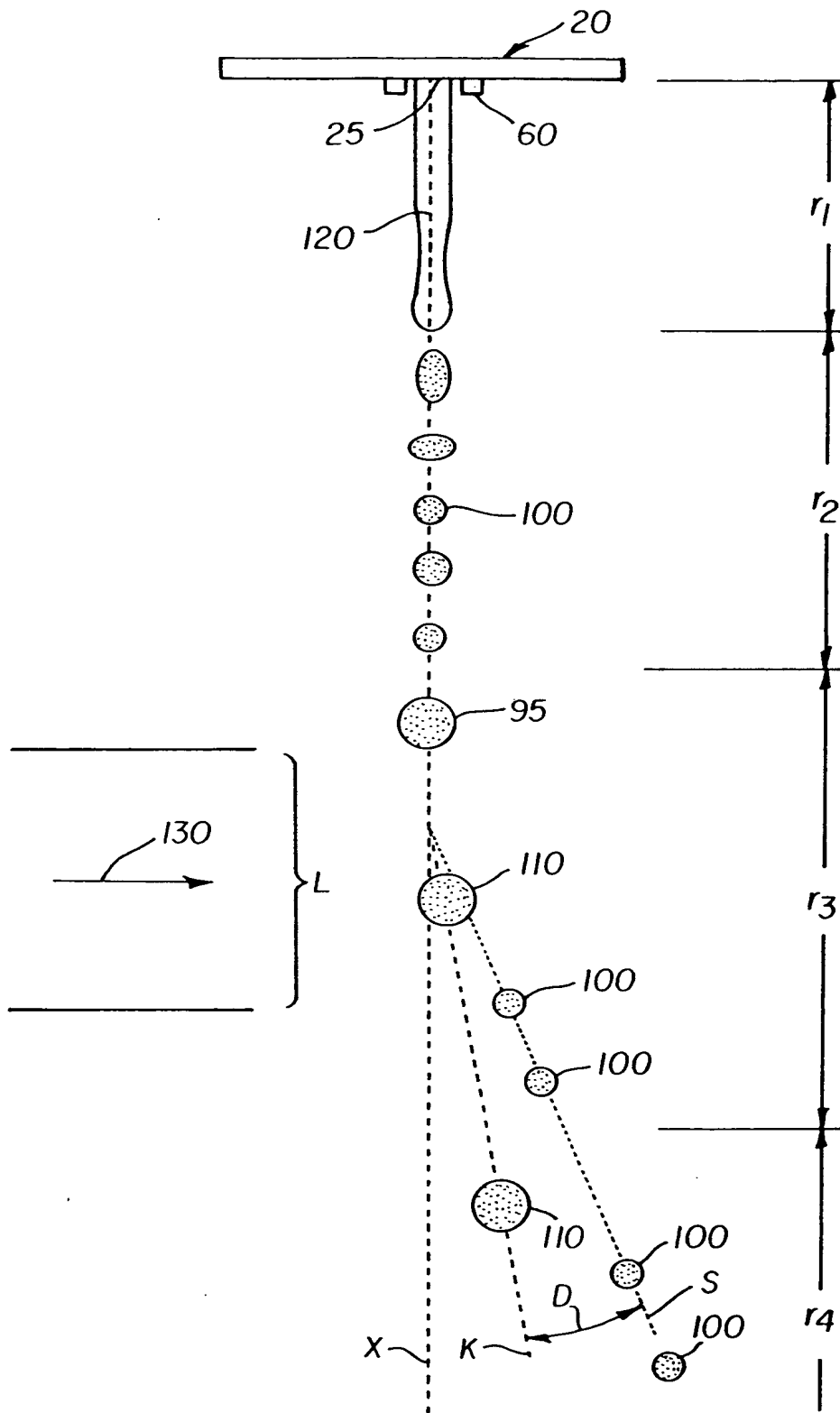


FIG. 3



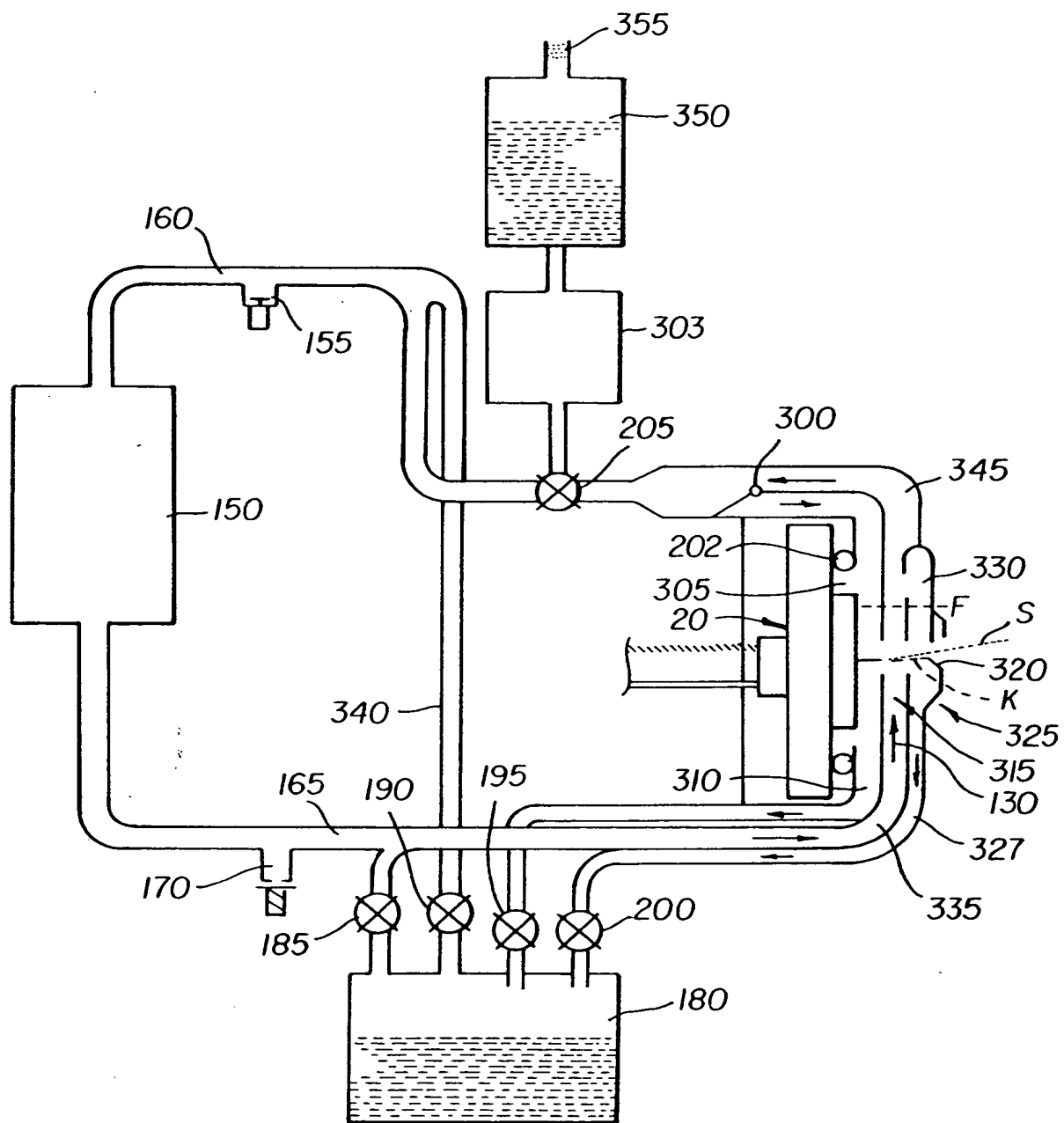
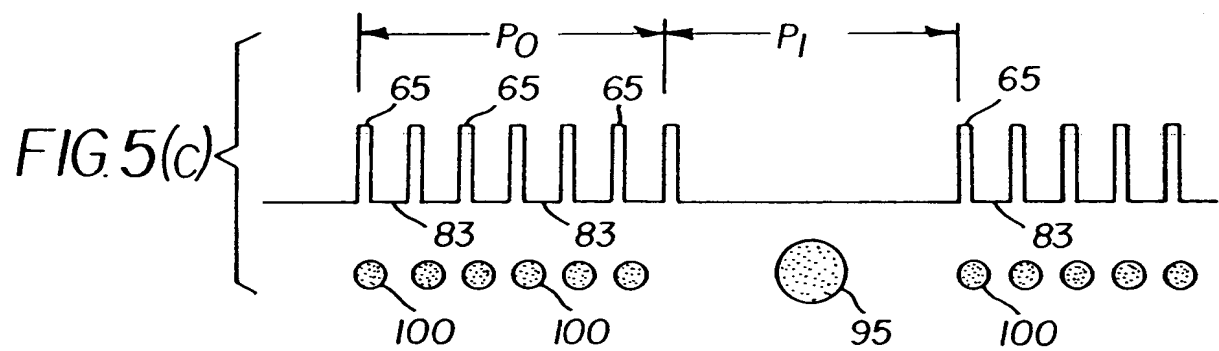
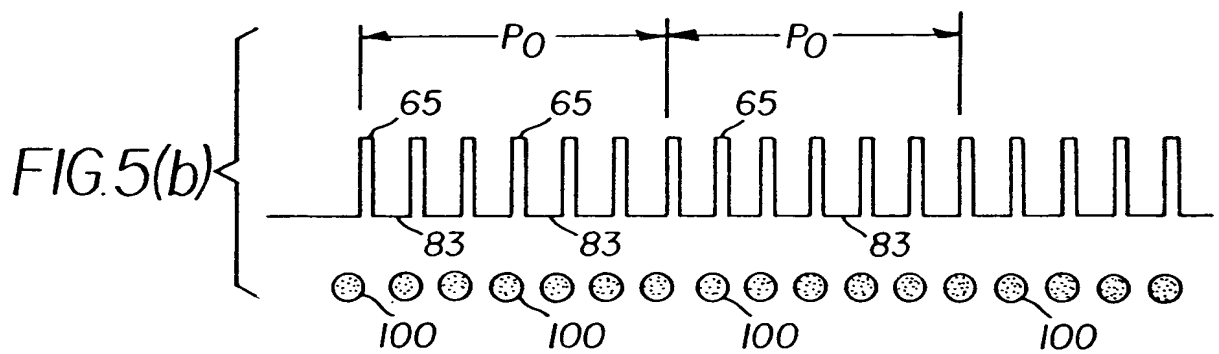
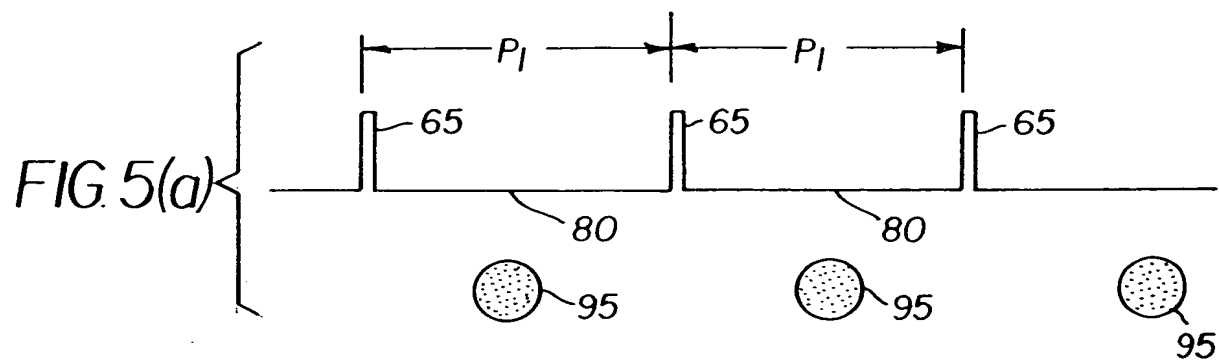


FIG. 4



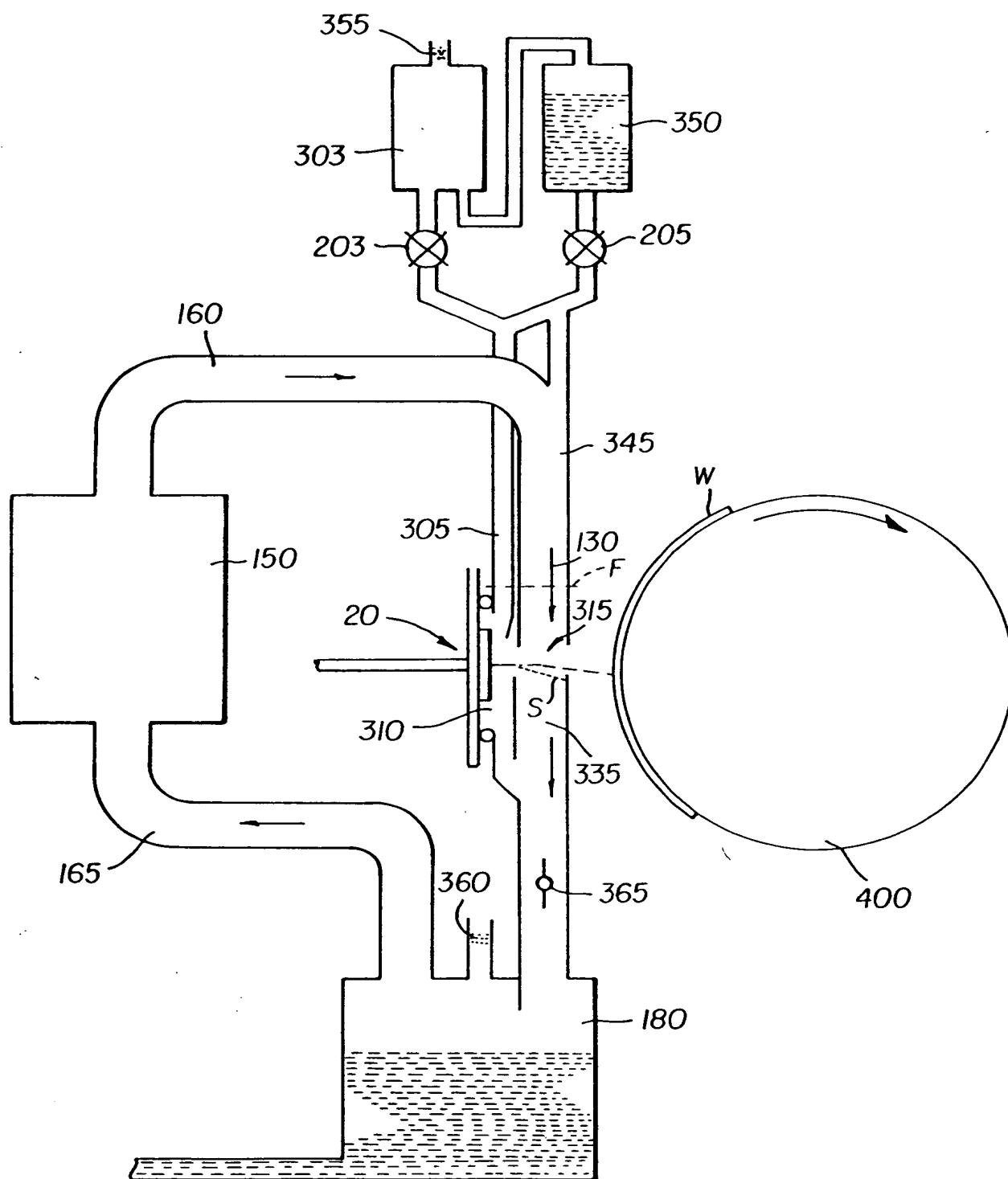


FIG. 6



Inventor(s)	<u>David L. Jeanmaire</u>
Serial No.	<u>10/606,106</u>
Paper Submitted	<u>Response to Notice of Drawing Inconsistency With Specification, 5 sheets of Formal drawings- depicting FIGS. 1-6</u>
Sender (initial)	<u>William R. Zimmerli/tt</u>
Docket No.	<u>82095/WRZ</u>

Please stamp with date of receipt and return this card to the addressee.

PATENT LEGAL STAFF



Inventor(s)	David L. Jeanmaire
Serial No.	10/606,106
Paper Submitted	Response to Notice of Drawing Inconsistency With Specification, 5 sheets of Formal drawings- depicting FIGS. 1-6
Sender (initial)	William R. Zimmerli/tt
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